

Introduced by Senators Lara and De León

June 17, 2014

Senate Resolution No. 51—Relative to immigration.

1 WHEREAS, California’s prosperity is intimately tied to the
2 tenacity, innovativeness, and diversity of its people; and

3 WHEREAS, The state has made tremendous progress in recent
4 years in recognizing undocumented immigrants as valued members
5 of society by enacting laws that promote the safety and livelihood
6 of immigrant families, including passage of the California DREAM
7 Act, the TRUST Act, and the Safe and Responsible Drivers Act;
8 and

9 WHEREAS, In 1994, exactly 20 years ago, the voters of
10 California approved Proposition 187, now considered one of the
11 most ~~mean-spirited~~ *controversial* measures in California’s ballot
12 history; and

13 ~~WHEREAS, With 59 percent of voters in favor of the initiative~~
14 ~~and 41 percent against it, Proposition 187 was a pernicious and~~
15 ~~unabashed attempt to target and scapegoat immigrants for the~~
16 ~~economic recession in the mid-1990’s; and~~

17 WHEREAS, Although the vast majority of the measure was
18 eventually found to be unconstitutional and unenforceable by the
19 federal courts, its introduction and approval devastated immigrant
20 communities throughout California, pushing undocumented people
21 further into the shadows and spreading rampant fear of public
22 officials and police; and

1 WHEREAS, Proposition 187 is just one example of a long and
2 troubled history of targeting and blaming a group of people for
3 societal and economic hardships in the United States; and

4 WHEREAS, Throughout our history immigrants have had to
5 confront hostile environments despite their contributions to our
6 economy; and

7 WHEREAS, The late 19th century was marked by a series of
8 efforts to explicitly limit Chinese migration to the United States,
9 particularly to California. Although Chinese immigrants provided
10 a needed workforce for the development of the west, including
11 construction of the Transcontinental Railroad, growing
12 anti-Chinese sentiments fomented fears that mass Chinese
13 immigration would threaten American wages and standards of
14 living; and

15 WHEREAS, These attitudes led to the passage of discriminatory
16 laws. A new California Constitution in 1879 explicitly banned
17 individuals of Chinese descent from public and corporate
18 employment and authorized the state government to determine
19 which individuals would be allowed to reside in the state; and

20 WHEREAS, Following California's lead, Congress and
21 President Chester A. Arthur approved the Chinese Exclusion Act
22 in 1882 to completely restrict Chinese immigration; and

23 WHEREAS, Proposition 14 was approved in 1964 to counteract
24 the effects of the Rumford Fair Housing Act, which prohibited
25 housing discrimination based on ethnicity, religion, sex, marital
26 status, physical handicap, or familial status. It was also held
27 unconstitutional on the basis that it violated the Equal Protection
28 Clause of the 14th Amendment to the United States Constitution;
29 and

30 WHEREAS, Voters approved Proposition 21, which would have
31 repealed a state law that required the racial integration of schools
32 and was ultimately declared unconstitutional by the courts because
33 it stood in direct violation of the precedent set by Brown v. the
34 Board of Education; and

35 WHEREAS, Proposition 187 is the most recent modern example
36 of California's troubled history and relationship with minorities
37 and immigrants ~~and of misguided efforts to pass laws that~~
38 ~~dehumanize people simply because they are different; and~~

39 ~~WHEREAS, Proposition 187 was proposed and supported by~~
40 ~~anti-immigrant groups; and~~

1 WHEREAS, Governor Pete Wilson—used *championed*
2 Proposition 187—to *secure as a part of* his reelection in 1994 by
3 1994, pursuing a scathing campaign—that *demonized against*
4 undocumented parents and their children; and

5 WHEREAS, Proposition 187 would have specifically barred
6 the children of undocumented immigrants from attending public
7 schools, required every school district to verify the legal status of
8 every child and parent, prohibited colleges and universities from
9 accepting undocumented students, and prohibited public agencies
10 and publicly funded health care facilities from providing services
11 to immigrants suspected of being undocumented; and

12 WHEREAS, Proposition 187 would have required teachers,
13 doctors, social workers, and law enforcement personnel to verify
14 the immigration status of families and report to the former
15 Immigration and Naturalization Service any individual reasonably
16 suspected of being illegally present in the United States, thereby
17 turning civilians into immigration agents; and

18 WHEREAS, Proposition 187 served as the unfortunate precursor
19 to the *precedent for the draconian anti-immigration* laws recently
20 adopted in Arizona (SB 1070) and Alabama (HB 56)—that, like
21 Proposition 187, encourage racial profiling and targeting
22 undocumented immigrants; and

23 WHEREAS, As a society, we have learned time and time again
24 that discrimination against minorities ultimately does not benefit
25 anyone, but rather hurts our economy and creates social dissonance;
26 and

27 WHEREAS, That, after 20 years, the Legislature expressly
28 acknowledges the harm caused to Californians through passage
29 of the *discriminatory and xenophobic* Proposition 187 and its
30 corresponding campaign. Its passage *marked a reprehensible period*
31 *for California*, but it serves as a lesson as the Legislature moves
32 forward to *provided provide* for the well-being of all Californians,
33 regardless of their immigration status, race, ethnicity, religion,
34 gender, sexual orientation, or socioeconomic position; now,
35 therefore, be it

36 *Resolved by the Senate of the State of California*, That the Senate
37 recognizes June 23, 2014, the date marking the 20th anniversary
38 of the qualification of Proposition 187 for the November 1994
39 ballot, as a day to celebrate California's diversity and a united
40 future; and be it further

- 1 *Resolved*, That the Secretary of the Senate transmit copies of
- 2 this resolution to the author for appropriate distribution.

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